

**MINUTES
BREVARD CITY COUNCIL
Regular Meeting
March 18, 2019 – 7:00 PM**

The Brevard City Council met in regular session on Monday, March 18, 2019, at 7:00 p.m. in the Council Chambers of City Hall with Mayor Jimmy Harris presiding.

Present – Mayor Jimmy Harris, Mayor Pro Tem Mac Morrow, Council Members Charlie Landreth, Maureen Copelof, Gary Daniel and Maurice Jones.

Staff Present – City Manager and Finance Director Jim Fatland, City Attorney Michael Pratt, City Clerk Jill Murray, Deputy Finance Director Tom Whitlock, Executive Assistant to City Manager Denise Hodsdon, Planning Director Daniel Cobb, Police Chief Phil Harris and Fire Chief Bobby Cooper.

Press – Matthew McGregor, Transylvania Times

A. Welcome and Call to Order – Mayor Harris called the meeting to order, welcomed those present and introduced Council members, Manager, Attorney and City Clerk.

B. Invocation – Pastor Dave Blackburn from NEXT Church, offered an invocation.

C. Pledge of Allegiance – Mayor Harris led in the Pledge of Allegiance.

D. Certification of Quorum - The City Clerk certified a quorum present.

E. Approval of Agenda – Mr. Jones moved, seconded by Mr. Landreth, the Agenda be approved as amended. Motion carried unanimously.

F. Approval of Minutes – Mr. Morrow moved, seconded by Mr. Daniel, the February 18, 2019 minutes be approved as presented. Motion carried unanimously.

G. Certificates / Awards / Recognition -

G-1. Proclamation 2019-03 Alcohol Awareness Month. Mayor Harris asked Susan Matthews, Mickey Robinson and Phil Harris to come forward and stand with him as he read the proclamation.

**PROCLAMATION NO. 2019-03
ALCOHOL AWARENESS MONTH 2019**

WHEREAS, excessive drinking is responsible for more than 4,300 deaths among underage youth each year; and

WHEREAS, alcohol is the most commonly used addictive substance in the United States; and

WHEREAS, more than 1.6 million young people reported driving under the influence of alcohol in the past year; and

WHEREAS, young people who begin drinking before age 15 are four times more likely to develop alcohol dependence than those who begin drinking at age 21; and

WHEREAS, drinking by persons under the age of 21 is linked to 189,000 emergency room visits; and

WHEREAS, the typical American will see 100,000 beer commercials before he or she turns 18; and

WHEREAS, kids who drink are more likely to be victims of violent crime, to be involved in alcohol-related traffic crashes, and to have serious school-related problems; and

WHEREAS, a supportive family environment is associated with lowered rates of alcohol use for adolescents; and

WHEREAS, kids who have conversations with their parents and learn a lot about the dangers of alcohol and drug use are 50 percent less likely to use alcohol and drugs than those who don't have such conversations.

NOW, THEREFORE, I, Mayor Jimmy Harris and the Brevard City Council, now join Facing Addiction with NCADD and do hereby proclaim that April 2019 is **Alcohol Awareness Month** in Brevard, North Carolina. As the Mayor of the City of Brevard, I also call upon all citizens, parents, governmental agencies, public and private institutions, businesses, hospitals, schools and colleges in the City of Brevard to support efforts that will provide early education about alcoholism and addiction and increase support for individuals and families coping with alcoholism. Through these efforts, together, we can provide "Help for Today, Hope for Tomorrow" for those in our community who are facing challenges with use of alcohol. Adopted and approved this the 18th day of March, 2019.

G-2. Proclamation 2019-04 "Parents Who Host, Lose The Most". Mayor Harris asked Susan Matthews, Karen Gorman, Mickey Robinson and Phil Harris to come forward and stand with him as he read the proclamation.

WHEREAS, adults who provide alcohol to those below the legal drinking age of 21 are placing those youth at risk for health, safety and legal problems, and

WHEREAS, alcohol use by young people is dangerous, not only because of the risks associated with acute impairment, but also because of the threat to their long-term development and well-being, and

WHEREAS, it is illegal to give or allow your teen's friends to drink alcohol in your home, even with their parents' permission, and

WHEREAS, anyone found guilty of providing alcohol to youth in North Carolina is charged with a Class I Misdemeanor and can lose their driver's license, in addition to any civil action that can be brought as a result of damages or injury related to the offense, and

WHEREAS, adults have the authority and responsibility to our youth to provide them with alternative opportunities by creating alcohol-free activities, and

WHEREAS, *The City of Brevard* encourages residents to refuse to provide alcoholic beverages to underage youth and to take the necessary steps to discourage the illegal and unhealthy practice, including the reporting of underage drinking by calling their local police, and

WHEREAS, be it resolved that the *City of Brevard* not only discourages the use of alcohol by those below the legal age of consumption, but also exhorts all residents of *Brevard* to refuse to provide alcoholic beverages to those underage youth, and will continue to take the necessary steps to discourage this illegal and unhealthy activity.

NOW, THEREFORE, I, Jimmy Harris, Mayor of Brevard, State of North Carolina, do hereby proclaim, April, 2019 to be:

"Parents Who Host, Lose The Most: Don't Be a Party to Teenage Drinking" Month

In witness whereof I have set my hand and caused the seal of City of Brevard, North Carolina to be affixed, this 18th day of March, 2019.

G-3. Proclamation 2019-05 Month of the Young Child. Mayor Harris asked Deborah Tibbetts, Erin Drew and Susan Huter to come forward and stand with him as he read the proclamation.

**Month of the Young Child and
Child Abuse Prevention Month
Proclamation No. 2019-05**

Whereas, in 1971 The Week of the Young Child™ was established by the National Association for the Education of Young Children (NAEYC), the world's largest early childhood education association.

Whereas, the youth serving agencies of Transylvania County come together to celebrate The Month of the Young Child during the month of April 2019 to focus public attention on needs of young children and their families and to recognize the early childhood programs and services that meet those needs.

Whereas, youth serving agencies of Transylvania County are collaborating to establish a county wide plan to prevent child abuse in our community.

Whereas, we work to improve opportunities for our children knowing they are vital to our state's future success, prosperity and quality of life as well as being our most vulnerable assets;

Whereas, all children deserve to have the safe, stable, nurturing homes and communities they need to foster their healthy growth and development;

Whereas, child abuse and neglect is a community responsibility affecting both the current and future quality of life of a community;

Whereas, communities that provide parents with the social support, knowledge of parenting and child development and concrete resources they need to cope with stress and nurture their children ensure all children grow to their full potential;

Whereas, effective child abuse prevention strategies succeed because of partnerships created among citizens, human service agencies, schools, faith communities, health care providers, civic organizations, law enforcement agencies, and the business community;

Therefore, I do hereby proclaim April as The Month of the Young Child and Child Abuse Prevention Month and call upon all citizens, community agencies, faith groups, medical facilities, elected leaders and businesses to increase their participation in our efforts to support families, thereby supporting early childhood programs and preventing child abuse and strengthening the communities in which we live.

Adopted and approved this the 18th day of March, 2019.

G-4. Resolution No. 2019-06 A Resolution of Respect and Appreciation for Heath Seymour.

Mayor Harris read aloud and presented an original framed Resolution No. 2019-06 signed by the Mayor, members of Council, Manager and City Clerk.

RESOLUTION NO. 2019-06

A RESOLUTION OF RESPECT AND APPRECIATION FOR HEATH SEYMOUR

WHEREAS, Heath Seymour has served as Executive Director of the Heart of Brevard for more than five years; and

WHEREAS, during Heath Seymour's time at the Heart of Brevard, Brevard has seen many positive changes; and

WHEREAS, Heath Seymour has helped to increase the Heart of Brevard's focus on Economic Development while keeping the ongoing festivals and adding events, such as "Arts in March" and "Loft Wasser"; and

WHEREAS, during Heath Seymour's time at the Heart of Brevard, more than seventy businesses have opened or expanded in the Heart of Brevard leading to a net increase of 20-30 businesses within the small Heart of Brevard district; and

WHEREAS, Heath Seymour and the Heart of Brevard helped to secure a \$500,000 forgivable loan for the renovation of a downtown business and another \$200,000 grant which helped to finance a new three-story mixed-use building on the corner of Jordan and Broad Streets; and

WHEREAS, Heath Seymour has worked closely with the City of Brevard while building an application for a BUILD grant and other funding which still has the potential to bring monies to downtown Brevard for months to come; and

WHEREAS, during Heath Seymour's tenure, there has been an investment of nearly thirty million dollars in businesses and properties in the downtown; and

WHEREAS, Brevard City Council desires to recognize and express appreciation of Heath Seymour and his invaluable service provided to the Heart of Brevard, the City of Brevard and to the community for which he has served.

NOW THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of Brevard, North Carolina, express to you, Heath Seymour, on behalf of our citizens and officials, our respect, appreciation and gratitude for your unselfish, devoted and invaluable service and contributions rendered to the Heart of Brevard, the City of Brevard and its citizens.

Adopted and approved this the 18th day of March, 2019.

H. Public Hearing(s) -

H-1. Proposed Adoption of Complete Streets Policy.

Mayor Harris opened the public hearing at 7:26 p.m.

Mr. Cobb explained that this is a policy that formalizes what the City is already doing. This gives the City a stronger footing when we get grant opportunities and the number one priority for the Bicycle Friendly Communities program last year was to complete the complete streets policy.

Public Hearing Participation – None

Public Hearing Closed – There being no further questions or comments, Mayor Harris closed the hearing at 7:29 p.m.

I. Public Participation – None

I-2. Pre-Budget Public Participation

1-2a. Transylvania Community Arts – Director Tammy Hopkins was not able to make her presentation however the Community Development report (on file), was given to Council and Paul Wesley spoke on their behalf and they are requesting consideration for the same financial support of \$10,000 in the upcoming budget year.

1-2b. Transylvania Farmers Market – Farmers Market Director Leslie Logemann presented the Community Development report (on file), thanked Council for the \$17,000 grant given to them last year, and requested consideration for the same financial support of \$17,000 in the upcoming budget year.

1-2c. Heart of Brevard – The President, Jimmy Perkins, presented their Community Development report (on file), thanked Council for the \$30,000 grant given last year, and requested consideration for the same financial support of \$30,000 in the upcoming budget year.

1-2d. Bread of Life – Bill Moore requested Council consideration for a \$5,000 grant in the upcoming budget year. (Request on file.)

1-2e. Sharing House – Executive Director Shelly Webb requested Council consideration for a \$10,000 grant in the upcoming budget year. (Request on file.)

1-2f. Isaac Homes Youth Shelter – Mickey Robinson requested Council consideration for a \$3,000 grant in the upcoming budget year. (Request on file.)

1-2g. Pisgah Area SORBA – Tricia Davis requested Council consideration for a \$15,000 grant in the upcoming budget year. (Request on file.)

J. Special Presentation

K. Consent Agenda and Information - Consent Agenda items are considered routine and are enacted by one motion. Mayor Harris read aloud the items listed, and asked if Council desired to remove an item for discussion, or, to add an item(s) to the Consent Agenda. Mayor Harris recommended that Council consider adding New Business Items M1 and M4 and that the Consent Agenda be approved as amended. Mr. Morrow moved, seconded by Mr. Jones that items M1 Resolution for Proposed Adoption of Complete Streets Policy and M4 Annual Planning Session Agenda, March 22, 2019 be added to the Consent Agenda and be approved as amended. Motion carried unanimously.

K-1. Staff Reports:

- a. Financial Report for month ending February, 2019.
- b. Police Department Quarterly Report.

K-2. Council Public Safety Committee Minutes, April 24, 2018

K-3. Council Public Works & Utilities Committee Minutes, May 10, 2018.

K-4. Council Finance & Human Resources Committee Minutes, November 29, 2019.

K-5. Mary C. Jenkins Community Center Task Force Minutes, January 15, 2019.

K-6. Council Parks, Trails & Recreation Committee Minutes, January 16, 2019.

K-7. Council Downtown Master Plan Committee Minutes, January 23, 2019.

K-8. Correspondence (No Action. Offered as information only.)

a. City-County Building Permit Activity Report, February 2019.

b. Follow-up letter from Chamber of Commerce, Annual Meeting & Gala.

c. Update from Friends of Brevard Area Trails.

K-9. (M-1) Resolution No. 2019-07 Adopting A Complete Streets Policy to Create a Safe and Comfortable Transportation System for All Users of All Ages and Abilities, Including Pedestrians, Bicyclists, People with Disabilities, Transit Riders, and Motor Vehicle Drivers Within The City Of Brevard.

RESOLUTION NO. 2019-07

A RESOLUTION ADOPTING A COMPLETE STREETS POLICY TO CREATE A SAFE AND COMFORTABLE TRANSPORTATION SYSTEM FOR ALL USERS OF ALL AGES AND ABILITIES, INCLUDING PEDESTRIANS, BICYCLISTS, PEOPLE WITH DISABILITIES, TRANSIT RIDERS, AND MOTOR VEHICLE DRIVERS WITHIN THE CITY OF BREVARD

WHEREAS, Brevard is a safe, friendly, family-oriented city with small town charm, outdoor recreation, arts, & culture that bring investment opportunities, environmental consciousness, and economic diversity; and,

WHEREAS, safe, convenient, and accessible transportation for all users is a priority of Brevard; and,

WHEREAS, the City of Brevard City Council adopted Resolution 2018-06 endorsing a Complete Streets approach to transportation planning on February 19, 2018; and,

WHEREAS, this resolution directed City Staff to work with the Parks, Trails and Recreation Committee to draft a Complete Streets policy or ordinance for the City of Brevard; and,

WHEREAS, streets, sidewalks, and greenways are a critical component of public space and play a major role in establishing the image and character of a city; and

WHEREAS, The City of Brevard wants all users of our transportation system to be able to travel safely, comfortably, and conveniently along and across all streets and roadways within the public rights-of-way; and

WHEREAS, a Complete Streets policy contributes to a comprehensive, integrated, and connected transportation system for all users to appropriately accommodate the usual users of the City's roads, streets, and bridges, including pedestrians, bicyclists, and transit passengers, of all ages and abilities, as well as drivers and passengers of automobiles, motorcycles, trucks, and farm equipment; and

WHEREAS, Complete Streets improve access and safety for those who cannot or choose not to drive motor vehicles and are essential in providing safe routes to school for children; and

WHEREAS, increasing active transportation opportunities offers the potential for improved public health, enhanced economic vitality, a cleaner environment, reduced transportation costs, enhanced community connections, social equity, and a more livable community; and

WHEREAS, the Complete Streets approach recognizes the need for flexibility: that all streets are different, user needs should be balanced, and that roadway design must fit in with community context; and

WHEREAS, a Complete Streets policy has been adopted by the North Carolina Board of Transportation, and is expected to be adopted and integrated into regional plans by the Land of Sky Regional Planning Organization; and

WHEREAS, the City of Brevard has adopted plans that seek to integrate a range of transportation options, including, but not limited to, the 2015 Comprehensive Plan, Downtown Master Plan, and the Comprehensive Pedestrian Master Plan; and,

WHEREAS, it is the desire of the City of Brevard to formalize its commitment to the principles of Complete Streets for all of our transportation users.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

SECTION 1. The City of Brevard adopts the attached Complete Streets Policy.

SECTION 2. Effective implementation of this Complete Streets Policy will require the City to review its procedures and ordinances and amend them as necessary to consider the needs of all transportation users.

SECTION 3. Periodic education and training of City Staff is recommended to ensure application of best practices and the most current techniques in balancing the needs of all roadway users is being applied within the City of Brevard.

SECTION 4. The City of Brevard will work with other regional jurisdictions and agencies as appropriate to incorporate a Complete Streets philosophy into transportation planning, design, and operation.

Approved and adopted this the 18th day of March, 2019.

K-10 (M4) Annual Planning Session Agenda, March 22, 2019.

**BREVARD CITY COUNCIL ANNUAL PLANNING SESSION
FRIDAY, MARCH 22, 2019**

BREVARD MUSIC CENTER
ALUMNI HOUSE
349 ANDANTE LANE
BREVARD, NC 28712

FRIDAY, MARCH 22, 2019

<i>TIME</i>	<i>ITEM/OBJECTIVES</i>
8:00 AM- 8:05 AM	Light Breakfast & Call to Order
	Certification of Quorum
	Approval of Agenda
8:05 AM – 8:10 AM	Opening Comments
8:10 AM – 9:30 AM	Committee Updates
	<ul style="list-style-type: none"> • City Council Downtown Master Plan Committee • City Council Finance & Human Resources Committee • City Council Parks, Trails & Recreation Committee • City Council Public Safety Committee • City Council Public Works & Utilities Committee • Mary C. Jenkins Community Task Force Committee
9:30 AM – 9:45 AM	Council Committee Structure
9:45 AM – 10:30 AM	Development Review Steps
	<ul style="list-style-type: none"> ▪ Technical Review Committee ▪ Community Appearance Committee
10:30 AM – 11:00 AM	Brevard Trail System
11:00 AM – 11:45 AM	Affordable Housing

11:45 AM – 1:15 PM Lunch w/Project Empathy High School Students @ Searcy Hall
 1:15 PM – 1:45 PM Brevard Music Center Auditorium Update
 1:45 PM – 2:45 PM NCDOT Project Updates
 2:45 PM – 3:00 PM Wrap Up & Next Steps
 Adjourn

L. Unfinished Business –

M. New Business –

M-2. County Fire Contract. Mr. Cooper referred to page 138 in the agenda packet which sited highlights of the contract. Council did not have any questions. Mr. Jones thanked Mr. Cooper for his work so far and for the communication between the City and County. Mr. Jones motioned, seconded by Mr. Landreth to approve the County Fire Contract. Motion carried unanimously.

M-3. Ordinance No. 2019-03 Amending the Brevard Music Center Planned Development District. Mr. Morrow motioned, seconded by Mr. Landreth that the Ordinance be approved as presented. Motion carried unanimously.

**ORDINANCE NO. 2019-03
 AN ORDINANCE AMENDING THE
 BREVARD MUSIC CENTER
 PLANNED DEVELOPMENT DISTRICT
 (Amending Ordinance 11-09 and Ordinance 2017-23)**

WHEREAS, a public hearing was conducted on February 18, 2019, to amend the Brevard Music Center Planned Development District; and

WHEREAS, the amendment was considered by the Brevard Planning Board at their December 18, 2018 meeting and recommend City Council approve the amendments as presented; and

WHEREAS, the amendment was considered directed to the Parks, Trails & Recreation Committee for consideration; and

WHEREAS, the Parks, Trails & Recreation Committee met on February 20, 2019 and voted unanimously to recommend the full City Council grant a one-year extension for the sidewalk along Andante Lane connected it with the sidewalk on Probart Street and the remainder of the path and sidewalk system be complete by December 31, 2021; and

WHEREAS, the Parks, Trails & Recreation Committee met on March 13, 2019 in special session to reconsider this request, and voted unanimously to grant the time extension to coincide with the City's own pedestrian masterplan timeframe (Resolution 2018-21) passed August 20, 2018; and

WHEREAS, the Brevard Music Center has agreed to discuss amendments to their masterplan with the Planning Board to be sure all pathways constructed and materials utilized are agreed upon in an amendment to recommend the full City Council; and

WHEREAS, the City Council of the City of Brevard finds that the proposed amendment is consistent with the City of Brevard Comprehensive Plan, specifically the following sections:

ELEMENT 1: ARTS & CULTURE

GOALS

With a diverse range of physical and programmatic cultural resources available to residents and visitors year-round, Brevard will:

- *Have arts, culture, and creativity integrated into community life.*
- *Be a nationally recognized destination for arts, music, and cultural events.*

OBJECTIVE 1.3: Increased participation and patronage of existing arts and culture activity enters and events.

POLICY 1.3.B: Develop a walking and cycling connection between downtown and Brevard Music Center.

POLICY 2.1.C: Prioritize transportation and utility investments within corporate limits to support infill development. This includes evaluating the City's current water and sewer

systems to identify gaps in service and under-served areas within the City, prioritizing these areas based upon their potential for supporting new development, and marketing these investments as incentives to attract new development.

and

WHEREAS, the City of Brevard, after hearing all persons wishing to comment on the amendment, desires to approve said amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

SECTION 1. The Brevard Music Center, by June 30, 2021, shall construct pathways and sidewalks as depicted on their Masterplan dated September 7, 2017 and approved via Ordinance 2017-23.

SECTION 2. In accordance with N.C.G.S 160A-364, as amended and Brevard City Code, the Brevard Music Center Planned Development District List of Conditions is hereby amended as described herein.

SECTION 3. If any provision of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance.

SECTION 4. This Ordinance shall become effective upon its adoption and approval.

Adopted and approved upon first reading this the 18th day of March, 2019.

M-5. Board and Committee Appointment(s)

Mr. Landreth moved, seconded by Mr. Morrow to approve William "Jeff" Gordon and Larry Nelson to serve on the Terrell Scruggs Scholarship Committee. Motion carried unanimously.

N. Remarks / Future Agenda Considerations

Mayor Harris invited everyone to come out on March 30th for the Adult Spelling Bee being held in the DFR Room on Main Street.

Mr. Jones said that he loves where he lives and that this is a volunteering community and praised Chief Harris for putting together the Brevard Cares Clean Up.

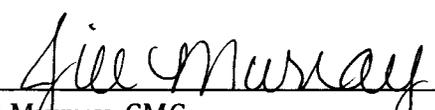
Phil Harris added that it is from 8am-12pm this Saturday and we help people that need things done at their home. We provide drinks and snacks. Just show up in work clothes and sunscreen and we'll give you an assignment.

Ms. Copelof thanked the staff for making our joint lunch at our planning session possible. We are joining some high school students to get them more civilly engaged and they came up with a list of topics that they would like to discuss. She also would like to put short term rentals as a future agenda item and though Council has discussed it before, she thinks it's time for Council to take another look at it.

O. Closed Session(s) – Mayor Harris asked the City Attorney if it would be appropriate for Council to hold a closed session to discuss a matter of property acquisition. City Attorney advised pursuant to **GS § 143-318.11. (a)(3)(5)** It would be appropriate to convene a closed session on the matter. A closed session requires a separate motion, second and vote to discuss the matter. Council will enter and exit regular session for each closed session.

P. Adjourn – There being no further business, Mr. Landreth moved, seconded by Mr. Jones, the meeting be adjourned. Motion carried unanimously. Meeting adjourned at 8:35 P.M.


Jimmy Harris
Mayor


Jill Murray, CMC
City Clerk

Minutes Approved: April 15, 2019